

VENABLE LLP

600 MASSACHUSETTS AVE., NW WASHINGTON, DC 20001
T 202.344.4000 F 202.344.8300 www.Venable.com

January 11, 2021

J. Douglas Baldridge

T 202.344.4703

F 202.344.8300

JBaldridge@Venable.com

Via Electronic Mail and Federal Express

Jared L. Cherry
Phillips Winchester
4001 S 700 E, Suite 500
Salt Lake City, Utah 84107
jlc@phillipswinchester.com

Re: *Further Response to Your December 18, 2020 Letter*

Dear Mr. Cherry:

Thank you for speaking with me on Friday, January 8, 2021 when you called me about Evermore Park LLC's demands regarding Ms. Swift's latest album. As stated in my letter of December 29, 2020, there is no basis for your client's claim that the Swift Parties' use of the term "evermore" infringes any trademark rights it may have. Moreover, your client has suffered no damages whatsoever and, in fact, has openly stated that Ms. Swift's album release creates a "marketing opportunity" for your client's troubled theme park. Regarding the latter, you acknowledged that the theme park is experiencing financial difficulties due to the COVID-19 pandemic, calling into question whether its current reputation could be "damaged" at all even if there were infringement (which there is not).

Quite simply, in light of your client's publicly asserted positions both on social media and before the US Patent & Trademark Office, the asserted claims are frivolous and irresponsible and, if pursued further, will be defended vigorously.

Please let me know if you have any additional questions. The Swift Parties continue to reserve all rights.

Sincerely,



J. Douglas Baldridge, Esq.

cc: Rebecca A. Liebowitz, Esq.